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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,806	10/03/2006	Ralph Painta	INA-PT187 (43640-18us)	1589
3624 7590 03/15/2010 VOLPE AND KOENIG, P.C. UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			EXAMINER REESE, ROBERT T	
			ART UNIT 3654	PAPER NUMBER
			MAIL DATE 03/15/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,806

Applicant(s)

PAINTA ET AL.

Examiner

ROBERT T. REESE

Art Unit

3654

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4 and 6 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The amendment filed January 12, 2010, has been entered. Claims 1 and 6 have been amended, and claims 2 and 4 have been cancelled. Claims 3 and 5 had been cancelled in an earlier action. Therefore, claims 1 and 6 are currently pending in the application.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uwe et al. (DE 10253495) in view of Brock et al. (2,392,573) further in view of Kraus et al. (2004/0227400).

As per claim 1, Uwe et al disclose: Traction mechanism drive (Figure 1) comprising an integrated starter generator (attached to element 3. Paragraph 25, which is a description of figure 1, describes the generator as a starter generator) with a traction mechanism roller (exterior of 2), which is arranged on a generator shaft (attached to element 3), on which a traction mechanism is guided (exterior of 2), the traction mechanism roller is de-couple able from a generator shaft of the starter generator via a freewheel (2) for damping peak loads appearing on a drive side. (Figure 1 depicts all of these features)

However, Uwe et al. does not disclose: the starter generator is mounted in a displaceable manner in order to set the traction mechanism in tension counter to a restoring force.

Brock et al. disclose a tractor generator mounting in which the generator (13) is displaceably mounted (depicted in figure 1) and is set in tension (by spring 28).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the starter generator as taught by Uwe et al. to incorporate the generator mounting as taught by Brock et al. to increase the tension on the drive belt for better performance of the belt drive and to reduce vibrations on the belt.

Uwe further does not disclose that the starter generator is set in tension in a displaceable manner by a hydraulic element, which is actuated to tension the traction mechanism independently for a start-up mode and for a generator mode.

Kraus et al. discloses a tensioner with an actuator (25) with a hydraulically operated control element (Paragraph 16).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the starter generator as taught by the combination of Uwe et al. and Brock et al. to incorporate the hydraulically controlled actuator as taught by Kraus et al. to maintain the tension on the drive belt for better performance of the belt drive and to reduce vibrations on the belt. (The use of the hydraulic element, which is actuated to tension the traction mechanism independently for a start-up mode and for a generator mode, describes the intended use of the hydraulic element, and as such is given little weight.)

As per claim 6, Uwe et al. disclose that traction mechanism is a belt (description of Figure 1).

Response to Arguments

3. Applicant's arguments filed January 12, 2010 have been fully considered but they are not persuasive. As discussed previously, The Brock reference depicts a generator, displaceably mounted and set in tension by a spring (See Brock figure 1). The Kraus reference teaches the use of a hydraulic element (25), in place of a spring, to set an element (10) in a displaceable manner (Paragraph 16 and depicted in figure 1). Kraus's tensioner is configured in a similar manner to Brock's, except that it uses a hydraulic unit to set the element in tension (as opposed to a spring) and the tensioning unit is not a generator. Substituting a hydraulic tensioner in place of a spring tensioner would be an obvious substitution to provide a source of tension to the displaceable generator. As such, it is deemed to be a proper to incorporate this reference to teach this limitation.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT T. REESE whose telephone number is (571) 270-5794. The examiner can normally be reached on M_F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Q. Nguyen can be reached on (571) 272-6952. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Q. Nguyen/
Supervisory Patent Examiner, Art Unit 3654

RTR